

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 AID-05 CIAE-00 COME-00 EB-08 FRB-03
INR-10 NSAE-00 ICA-11 TRSE-00 XMB-02 OPIC-03
SP-02 LAB-04 SIL-01 OMB-01 L-03 NSC-05 SS-15
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P 080646Z MAY 78
FM AMEMBASSY BUCHAREST
TO SECSTATE WASHDC PRIORITY 9389

C O N F I D E N T I A L BUCHAREST 3024

E.O. 11652: GDS
TAGS: ETRD, CPRS, RO
SUBJ: PROPERTY CLAIMS OF U.S. CITIZENS/DECREE 223

1. IN MAY 4 MEETING WITH DPM BURTICA, AMBASSADOR RAISED
SUBJECT OF PROPERTY CLAIMS/DECREE 223. AMBASSADOR
REVIEWED VARIOUS STATEMENTS MADE BY FORMER MFT MINISTER
PATAN IN LATE 1977 TO AMBASSADOR BARNES, TO SECRETARY
KREPS DURING THE FOURTH SESSION OF JOINT ECONOMIC COM-
MISSION, AND TO AMBASSADOR ON JANUARY 12 (SEE BUCHAREST
0259) TO EFFECT THAT GOR WOULD TAKE STEPS TO RESOLVE SOME
OF OUTSTANDING PROPERTY CLAIMS CASES PROMPTLY. AMBASSADOR
STATED THAT WE CONSIDER THERE IS NEED FOR MOVEMENT
ON THIS QUESTION. HE FURTHER STATED THAT IT WAS OUR
UNDERSTANDING FROM FORMER MINISTER PATAN THAT PATAN HAD

HAD SPECIAL AUTHORITY TO RESOLVE CASES AND THAT WE SHOULD
PRESENT PATAN WITH THE CASES. AMASSADOR ADDED THAT
FOLLOWING PATAN'S REPLACEMENT BY BURTICA, WE WERE TOLD BY
MFT OFFICIALS THAT PROPERTY CLAIMS CASES SHOULD STILL
BE PRESENTED TO BURTICA; HOWEVER, IT IS NOW OUR
UNDERSTANDING THAT THE CASESPRESENTED IN MID-MARCH
TO MINISTER BURTICA ARE NOW WITH MINISTER OF FINANCE.
AMBASSADOR ASKED IF HE SHOULD CONTINUE TO WORK WITH
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BURTICA AND MFT ON THESE CASES, WHICH IS OUR WISH, OR
IF AMBASSADOR SHOULD CONTACT MINISTER OF FINANCE.

2. BURTICA REPLIED THAT IT WOULD BE GOOD FOR
AMBASSADOR TO DISCUSS THIS PROBLEM WITH FINANCE
MINISTER, PAUL NICULESCU. BURTICA SAID HE WAS UNAWARE

OF WHAT SPECIAL INSTRUCTIONS PATAN HAD, BUT THAT IT WAS NOT GOOD FOR MFT TO BE MIDDLEMAN ON WHAT IS MINISTRY OF FINANCE PROBLEM. BURTICA ADDED THAT MFT HAS MANY PROBLEMS OF ITS OWN TO RESOLVE WITHOUT INVOLVING ITSELF IN ONE, I.E., PROPERTY CASE/DECREE 223 QUESTION, WHICH IS NOT REALLY MFT'S PROBLEM. AMBASSADOR IMMEDIATELY REFERRED BURTICA TO PATAN'S STATEMENT TO SECRETARY KREPS IN NOVEMBER 3, 1977, MEETING TO EFFECT THAT 1973 JOINT STATEMENT, AND OUR ECONOMIC INDUSTRIAL AND TECHNOLOGICAL COOPERATION, WHICH CALLED FOR "PROMPT, ADEQUATE AND EFFECTIVE COMPENSATION" FOR EXPROPRIATED PROPERTY PROVIDES JURIDICAL BASE FOR RESOLUTION OF THESE CLAIMS ON CASE-BY-CASE BASIS. COMATT THEN POINTED OUT TO BURTICA THAT IT WAS ONLY BECAUSE OF FORMER MINISTER PATAN'S PROMISE TO THEN SECRETARY OF COMMERCE MORTON DURING THIRD JOINT ECONOMIC COMMISSION SESSION IN WASHINGTON THAT ROMANIA WAS ACCORDED GSP BY U.S. COMATT ADDED THAT WE ASSUME THAT GSP WAS OF PRIME INTEREST TO MFT AND THAT THIS WAS REASON WHY MFT SHOULD CONTINUE TO BE INVOLVED IN RESOLVING OUTSTANDING PROPERTY CLAIMS OF U.S. CITIZENS. BURTICA REPLIED THAT WHAT WE HAD SAID PROVIDES THE BASIS FOR AMBASSADOR'S MEETING WITH MINISTER OF FINANCE NICULESCU.

3. BURTICA'S COMMENTS TO AMBASSADOR, COMING ON HEELS
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OF STATEMENTS OF MFA MINISTER ANDREI AND MINISTER PUNGAN TO SECRETARY (AS REPORTED IN STATE 098602), REPRESENT DEFINITE BACKWARD STEPS ON THIS ISSUE ON PART OF GOR OFFICIALS. AMBASSADOR IS SEEKING EARLY MEETING WITH FINANCE MINISTER NICULESCU TO DISCUSS RESOLUTION OF OUTSTANDING PROPERTY CASES. AFTER THIS MEETING, WE HOPE TO BE IN BETTER POSITION TO COMMENT ON OUT LOOK FOR PROMPT RESOLUTION OF THESE CASES.

AGGREY

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